TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing was convened at 9:07 A.M., on June 13, 2019 in Training Room 1, Suite 201, Department of Health Professions, 9960 Mayland Drive, Henrico, Virginia.

MEMBERS PRESENT: Louise Hershkowitz, R.N., C.R.N.A, M.S.H.A. - Chairperson
Dixie McElfresh, L.P.N.

STAFF PRESENT: Jay Douglas, M.S.M., R.N., C.S.A.C., F.R.E, Executive Director
Jodi Power, R.N., J.D., Senior Deputy Executive Director (joined later)
Claire Morris, R.N., L.N.H.A., Discipline Case Manager

OTHERS PRESENT: Anne Joseph, Adjudication Specialist
Beonia Johnson, Board of Nursing Compliance Specialist
Ellie Badgley, Board of Nursing Summer Intern
Rai Minor, Enforcement Division
Alexandra Aloba, Enforcement Division
Catherine Slagell, L.M.T, Public
Bob Holton, Public

CONFERENCES SCHEDULED: Marina Clagett, L.P.N. 0002-089453
Ms. Clagett appeared.

CLOSED MEETING: Ms. McElfresh moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the Code of Virginia at 9:43 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Clagett. Additionally, Ms. McElfresh moved that Ms. Douglas, Ms. Morris and Ms. Joseph attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 9:57 A.M.

Ms. McElfresh moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and carried unanimously.

ACTION: Ms. McElfresh moved to issue an Order to Dismiss the Case and Impose No Sanction against Marina Clagett due to insufficient evidence of a violation of laws or regulations governing the practice of Nursing. The motion was seconded and carried unanimously.
An Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Clagett unless a written request to the Board for a formal hearing on the allegations made against him is received from Ms. Clagett within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

Ms. Power joined the meeting.
Ms. Douglas left the meeting.

CONFERENCES SCHEDULED:  
Sara Berry, L.P.N. 0002-082054
Ms. Berry did not appear.

CLOSED MEETING:  
Ms. McElfresh moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the Code of Virginia at 10:39 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Berry. Additionally, Ms. McElfresh moved that Ms. Power, Ms. Morris and Ms. Joseph attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION:  
The Committee reconvened in open session at 11:05 A.M.

Ms. McElfresh moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and carried unanimously.

ACTION:  
Ms. McElfresh moved to offer Sara Berry a Consent Order for Indefinite Suspension of her practical nursing license for not less than 2 years and until such time as she appears before the Board, in lieu of a Formal Hearing. The motion was seconded and carried unanimously.

This Consent Order shall be effective upon endorsement of its findings, conclusions, and terms of consent by both Ms. Berry and the Board.

The Committee recessed at 12:00 P.M.
The Committee reconvened at 1:00 P.M.

CONFERENCES SCHEDULED:  
Carolyn Chernutan, L.P.N., North Carolina License # 083758 with multistate privilege
Ms. Chernutan appeared, accompanied by Ms. Spencer.

CLOSED MEETING:  
Ms. McElfresh moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the Code of Virginia at 3:29 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Chernutan. Additionally, Ms. McElfresh moved that Ms.
Power, Ms. Morris and Ms. Joseph attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 4:07 P.M.

Ms. McElfresh moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and carried unanimously.

ACTION:

Ms. McElfresh moved to offer Carolyn Chernutan a Consent Order for Indefinite Suspension of her practical nursing license privilege to practice in Virginia in lieu of a Formal Hearing. The motion was seconded and carried unanimously.

This Consent Order shall be effective upon endorsement of its findings, conclusions, and terms of consent by both Ms. Chernutan and the Board.

ADJOURNMENT:

The Board adjourned at 4:20 P.M.

Jod Power, R.N., J.D
Senior Deputy Executive Director